

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

WALTER ROBERTSON,

Plaintiff,

v.

No. CV 07-0565 JH/CEG

WEXFORD HEALTH SOURCES,
INC.; FNU BREEN, M.D; THE GEO
GROUP, INC.; and CORRECTIONAL
MEDICAL SERVICES, INC.,

Defendants.

ORDER ADOPTING MAGISTRATE JUDGE'S
PROPOSED FINDINGS AND RECOMMENDED DISPOSITION


The Magistrate Judge filed her Proposed Findings and Recommended Disposition on January 7, 2008. *See Doc 48*. The Proposed Findings and Recommended Disposition recommends that the Court grant Defendant GEO's motion dismiss because Robertson's allegations fail to establish a claim of deliberate indifference against GEO. *Id.* at 3. On January 25, 2008, Robertson filed objections to the Proposed Findings and Recommended Disposition. *See Doc. 58*.

The Court has carefully reviewed Robertson's objections de novo and finds them to be without merit. Simply put, Robertson has failed to allege that any of GEO's employees or agents personally authorized, supervised, or participated in any of the decisions regarding his medical care. This omission is fatal to his claims against GEO. *See Estelle v. Gamble*, 429 U.S. 97, 106 (1976); *Farmer v. Brennan*, 511 U.S. 825, 834 (1994); *Self v. Crum*, 439 F.3d 1227, 1230 (10th Cir. 2006); *Snell v. Tunnell*, 920 F.2d 673, 700 (10th Cir. 1990).

Wherefore,

IT IS HEREBY ORDERED THAT:

- 1) the Magistrate Judge's Proposed Findings and Recommended Disposition (Doc. 48) are adopted;
- 2) GEO's Motion to Dismiss (Doc. 18) is granted; and
- 3) Defendant GEO is dismissed as a party to this action.


UNITED STATES DISTRICT JUDGE